

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 1st day of November, 2010 the City Council of the City of Aransas Pass convened in a Special Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT:	Tommy Knight,	Mayor
	Vickie Abrego,	Mayor Pro Tempore
	Ross McElwee	Council Member
	Jay Attaway	Council Member
	Phillip Hyatt	Council Member

ABSENT:

ADMINISTRATIVE		
PERSONNEL PRESENT:	Allen Lawrence	City Attorney
	Reggie Winters,	City Manager
	Yvonne Stonebraker	City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT:	Rick Kilgore	Fire Chief
	Earl Buckmaster	Harbormaster

OTHERS PRESENT: JoAnn Biek, Donald & Jeanie Brummett, Stewart Wilson, Phil & Nell Reynolds, Father Tom Keith, Robert Cohen, Jim Mills, Brenda Burr/Aransas Pass Progress, Mike Hurst, Dusty Laird, Robert Stubbs, David Perry, Capt. Rod Spivey, Jean & Randy Hunter, Nathan Borrego, David Clawson, Don Starr, Rosemary Vega/Chamber of Commerce and Patsy Lawrence.

There may have been others present who did not sign in.

1. **CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 P.M. on November 1, 2010.

2. **INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Father Tom Keith gave the invocation. Mayor Knight led the pledge of Allegiance to the United States Flag.

3. **CONSIDER AND ACT ON APPROVING THE MINUTES OF OCTOBER 18, 2010.**

Council Member Attaway made a motion to approve the minutes of October 18, 2010. Council Member McElwee seconded the motion and the motion carried unanimously.

4. **LETTERS OF COMMENDATION PRESENTED BY MAYOR TOMMY KNIGHT.**

Mayor Knight presented Letters of Commendation to Lieutenant Edward Borrego and Firefighter David Clawson for saving the life of a choking victim while off-duty.

5. **CONSIDER AND ACT ON REQUEST OF CAPT. ROD SPIVEY TO ENTER INTO A MONTH-TO-MONTH HARBOR LEASE AT CONN BROWN HARBOR.**

After a brief discussion, Council Member Attaway made a motion to deny the request of Mr. Rod Spivey to enter into a month-to-month harbor lease at Conn Brown Harbor. Council Member Hyatt seconded the motion and the motion carried unanimously.

6. **CONSIDER AND ACT ON REQUEST OF MR. DAVE MYERS, QPP,LLC. TO EXPAND HIS LEASE FROM LOTS 18-21, BLOCK A TO INCLUDE LOT 22, BLOCK A.**

Mr. Robert Cohen stated he would be representing Mr. Dave Myers on the request of expanding the present Harbor Lease to include Lot 22, Block A.

Council Member Attaway asked Mr. Cohen if he would be requesting the same terms and conditions as the existing lease.

Mr. Cohen stated yes.

Council Member Attaway made a motion to approve the request of Mr. Dave Myers, QPP, LLC to expand his lease from Lots 18-21, Block A to include Lot 22, Block A. Council Member Hyatt seconded the motion and the motion carried unanimously.

7. **CONSIDER AND ACT ON ALLOWING MR. MIKE HURST, SALTWATER-FISHERIES ENHANCEMENT ASSOCIATION, TO STORE REEFING MATERIAL ON THE LWR PROPERTY.**

Council Member Hyatt asked Mr. Hurst how long he would need to store the reefing material on the LWR property.

Mr. Hurst stated one (1) year. He stated the reef belonged to the Texas Department of Parks and Wildlife. He stated once the permit was received, he could deploy the reef.

Council Member McElwee made a motion to allow Mr. Mike Hurst, Saltwater-fisheries Enhancement Association, to store reefing material on the LWR property. Council Member Attaway seconded the motion and the motion carried unanimously.

8. **CONSIDER AND ACT ON FATHER TOM KEITH'S REQUEST TO ACQUIRE LOTS 14-16, BLOCK 441, 855 S.MCCAMPBELL FOR HABITAT FOR HUMANITY.**

City Attorney Allen Lawrence stated according to San Patricio County, the owner of Lots 14-16, Block 441, 855 S McCampbell is the Aransas Pass Independent School District.

Mayor Pro Tem Abrego made a motion to table Father Tom Keith's request to acquire Lots 14-16, Block 441, 855 S. McCampbell for "Habit for Humanity until the School District was notified of the City of Aransas Pass' intentions. Council Member McElwee seconded the motion and the motion carried unanimously.

The following item was tabled October 4, 2010 and must be untabled before considering.

9. **CONSIDER AND ACT ON BIDS AND SELECTION OF OFFICIAL NEWSPAPER OF THE CITY OF ARANSAS PASS.**

Council Member Attaway made a motion to untable item number 9. Council Member Hyatt seconded the motion and the motion carried.

Council Member McElwee made a motion to approve the bid and select the Aransas Pass Progress as the official newspaper for the City of Aransas Pass. Mayor Pro Tem Abrego seconded the motion and the motion carried.

10. **CONSIDER AND ACT ON MIKE SULLINGER'S OFFER TO VOLUNTEER TO HELP AS ALTERNATE JUDGE/MAGISTRATE FOR MUNICIPAL COURT.**

Mayor Knight stated Mr. Mike Sullinger offered to volunteer to help as Alternate Judge/Magistrate for Municipal Court.

Council Member Attaway made a motion to approve Mike Sullinger's offer to volunteer to help as Alternate Judge/Magistrate for Municipal Court. Council Member Hyatt seconded the motion and the motion carried unanimously.

11. **CONSIDER AND ACT ON ORDINANCE NO. 2010-3986 – AN ORDINANCE ANNEXING ADJACENT AND CONTIGUOUS TERRITORY TO THE CITY OF ARANSAS PASS, TEXAS, PURSUANT TO ARTICLE 43.028, TEXAS LOCAL GOVERNMENT CODE; FINDING THAT ALL NECESSARY AND REQUIRED LEGAL CONDITIONS HAVE BEEN SATISFIED, PROVIDING THAT SUCH AREA SHALL BECOME A PART OF THE CITY AND THAT OWNERS AND INHABITANTS THEREOF SHALL BE BOUND BY ACTS AND ORDINANCES NOW IN EFFECT AND TO BE HEREINAFTER ADOPTED; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Council Member Attaway made a motion to approve Ordinance No. 2010-3986 – an Ordinance annexing adjacent and contiguous territory to the City of Aransas Pass, Texas, pursuant to Article 43.028, Texas Local Government Code, Finding that all necessary and required legal conditions have been satisfied, providing that such area shall become a part of the City and that owners and inhabitants thereof shall be bound by Acts and Ordinances now in effect and to be hereinafter adopted, providing a severability clause, and providing for an effective date. Council Member McElwee seconded the motion and the motion carried unanimously.

12. **CONSIDER AND ACT ON CONTRACTING WITH MICHAEL ARNOLD, CPA/PLLC FOR AUDITING SERVICES FOR THE CITY OF ARANSAS PASS' 2009-2010 FISCAL YEAR AUDIT.**

Council Member Attaway made a motion on contracting with Michael Arnold, CPA/PLLC for auditing services for the City of Aransas Pass' 2009-2010 Fiscal Year Audit. Council Member Hyatt seconded the motion and the motion carried unanimously.

The following item was tabled October 4, 2010 and must be untabled before considering.

13. **CONSIDER AND ACT ON AN INTERLOCAL GOVERNMENT AGREEMENT BETWEEN THE CITY OF ARANSAS PASS, TEXAS AND THE SAN PATRICIO MUNICIPAL WATER DISTRICT (SPMWD) RELATING TO SPMWD CUSTOMER SERVICES TO BE TRANSFERRED TO THE CITY OF ARANSAS PASS.**

Council Member Attaway made a motion to untable agenda item number 13. Council Member McElwee seconded the motion and the motion carried.

City Manager Winters stated at the last Council Meeting he presented the Interlocal Government Agreement between the City of Aransas Pass and the San Patricio Municipal Water District (SPMWD) relating to customer services to be transferred to the City of Aransas Pass. He stated the SPMWD would install a four inch water line and turn it over to the City. Mr. Winters asked the SPMWD if they would install an eight inch line instead. City Manager Winters stated SPMWD agreed on an eight inch line so he (Mr. Winters) was presenting a revised Interlocal Government Agreement.

Council Member Attaway made a motion to approve an Interlocal Government Agreement between the City of Aransas Pass, Texas and the San Patricio Municipal Water District (SPMWD) relating to SPMWD customer services to be transferred to the City of Aransas Pass

14. **CONSIDER AND ACT ON CLOSING THE ARANSAS PASS AQUATIC CENTER FROM NOVEMBER 15, 2010 TO FEBRUARY 28, 2011.**

Mayor Knight stated the Aransas Pass Aquatic Center averaged about 10 customers per day and could save the City approximately \$30,000 a year closing during the winter months.

Mayor Pro Tem Abrego stated the Aransas Pass Municipal Development District agreed with closing the Aquatic Center this year but would not like it closed every year.

Council Member Attaway made a motion to close the Aransas Pass Aquatic Center from November 15, 2010 to February 28, 2011. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

15. **CONSIDER AND ACT ON CHANGING THE HARBOR WORKSHOP DATE.**

Council Member McElwee stated he would not be able to attend the harbor workshop on November 17, 2010.

Council Member McElwee made a motion on rescheduling the harbor workshop date for December 2, 2010 at 7:00 pm. Council Member Hyatt seconded the motion and the motion carried unanimously.

16. **CONSIDER AND ACT ON APPROVING THE WEDNESDAY BEFORE THE COUNCIL MEETING AS THE CUT OFF DATE FOR AGENDA ITEMS.**

Council Member McElwee stated by the time the Council Members received their council packets on Friday afternoon, it doesn't give them (Council Members) enough time to call the City

Manager with questions, if any. He stated if the Council Members could receive the council packets by Wednesday, if would give them enough time to contact the City Manager.

City Attorney Allen Lawrence stated this was a code of ordinance issue and would require amending the original ordinance.

Council Member McElwee made a motion to approve the Wednesday before the council meeting as the cut off date for agenda items. Mayor Pro Tem Abrego seconded the motion and the motion carried unanimously.

17. CITIZENS COMMENTS.

Jim Mills, President Aransas Pass Crime Control and Prevention District, stated he had surgery scheduled and asked the council not to take him off the crime board. He also stated the fire departments haunted house was a huge success.

Mr. Jim Covington, Aransas Pass Municipal Development District, stated the Civic Center was showing football and baseball on a 35 foot screen at the civic center.

18. ADJOURNMENT OF MEETING.

Council Member Attaway made a motion to adjourn the meeting. Council Member McElwee seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:03 p.m.

Tommy Knight, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary